

**THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, NOVEMBER 5, 2012 AT 9:30 A.M.**

MEMBERS PRESENT WERE NORMAN VOYLES, AND BRIAN GOSS. BRENDA ADAMS, COUNTY AUDITOR, DEB VERLEY, ADMINISTRATIVE ASSISTANT, AND PETE FOLEY, COUNTY ATTORNEY, WERE ALSO PRESENT. DON ADAMS WAS ABSENT.

NORMAN VOYLES ASKED FOR A MOMENT OF SILENT PRAYER.

NORMAN VOYLES CALLED THE MEETING TO ORDER.

**OFF ROAD VEHICLE ORDINANCE DISCUSSION**

Charlie Beaver, a former Morgan County Sheriff, stated that he appreciated that the Commissioners were looking into allowing off road vehicles on county roads and he was in favor of it. He stated that most of the riders he knows ride with safety in mind. He has also talked to sheriffs in other counties and they aren't having any problems with it. Norman Voyles stated that the attorney drafted an ordinance establishing regulations for the operation of off road vehicles on county roads. The ordinance defines all-terrain vehicles as less than 50" in width, 1,200 pounds or less, and a straddle seat. An off road vehicle is described as 64" or less in width, 2,000 pounds or less, and has a non-straddle seat and a steering wheel. The ordinance includes snow mobiles but does not include golf carts. The ordinance requires that the operator have a valid driver's license and proof of insurance. Mr. Voyles stated that in Section 2, Subsection A and C, the ordinance addresses operators under 14 and using vehicles to hunt and he suggested eliminating these subsections since the ordinance requires that the operator have a valid license and there are current laws regarding hunting. Brian Goss stated that if the vehicle is equipped with seatbelts, the seatbelts should be in use. Mr. Voyles asked Mr. Foley to make the revisions and they would have a first reading of the ordinance at the next meeting.

**SPEED LIMIT ORDINANCE** – 2<sup>nd</sup> Reading

Norman Voyles stated that this ordinance sets a 35 MPH speed limit on the entire length of Peavine Road. Brian Goss made a motion to approve the ordinance on second reading. Motion seconded by Norman Voyles. Motion carried 2-0. Mr. Voyles instructed the Highway Department to install the speed limit signs.

**PUBLIC SAFETY DISPATCH** – *Memorandum of Understanding*

Norman Voyles stated that the Memorandum of Understanding between Morgan County, Martinsville, and Mooresville has been distributed to all entities. Pete Foley stated that it is a cooperative agreement to move forward in drafting and negotiating an interlocal agreement to support consolidated 911 emergency dispatch services. No signed agreements have been received.

**REZONE REQUEST** - *Allen*

Kenny Hale, Morgan County Planning Director, stated that Tena Allen submitted a request to rezone 1.02 acres on Hadley Road in Madison Township from B3 to R3. Mr. Hale stated that this request was given a favorable recommendation by the Planning Commission. Brian Goss made a motion to approve the request. Motion seconded by Norman Voyles. Motion carried 2-0.

**REZONE REQUEST** - *Lee*

Kenny Hale stated that Lum Lee, submitted a request to rezone property in Harrison Township off of Old State Road 37 from B3 to R1. A structure on the property burned down a few years ago and the owner wants to place a double wide mobile home on the property to replace the house. The Planning Commission recommended approval of the request. Brian Goss made a motion approve the request. Motion seconded by Norman Voyles. Motion carried 2-0.

**ROAD NAMES**

Kenny Hale stated that three names were suggested for a private road off of Gasburg Road in Monroe Township. Kenny Hale stated that the family approved the name of Jerry Beck Lane. The 911 guidelines recommend the name of Gasburg Drive. Mr. Hale stated that this helps emergency responders to know the general area of the emergency call. Brian Goss made a motion to accept the name of Gasburg Drive. Motion seconded by Norman Voyles. Motion carried 2-0.

Mr. Hale submitted another road name of Red Day Drive for a private road off of Red Day Road in Clay Township. Brian Goss made a motion to approve the road name. Motion seconded by Norman Voyles. Motion carried 2-0.

## **AEROVISION COMMITTEE**

Tim Currans, attorney for the Town of Mooresville, stated that for the past few years, different entities and communities have been meeting at the airport to develop some type of interlocal agreement for an aerotropolis. The airport impacts a large area and many of the large cities throughout the world have used this concept so that they have input in planning by everyone that might be impacted by the airport. Mr. Currans is chairman of the committee that put the agreement together and they would like to have all entities sign on early. The agreement does not commit the county financially but has every entity in an eight mile range participating in events that are of a common interest. Mr. Currans stated that the agreement will have a long term impact and it might take a long time to realize the results. Each entity that signs on will have a representative. Kenny Hale stated that the entities that have signed the agreement are: Indianapolis Airport Authority, Hendricks County, Town of Mooresville, Town of Plainfield, and Wayne Township. Those that haven't signed are: Town of Avon, Decatur Township, Morgan County, and City of Indianapolis. They hope to have everyone signed on by the end of the year. Brian Goss made a motion to approve the Interlocal Cooperation Agreement. Motion seconded by Norman Voyles. Motion carried 2-0.

Brian Goss made a motion to appoint Jeff Quyle as the county's representative on the committee. Motion seconded by Norman Voyles. Motion carried 2-0.

## **MEMORANDUM OF UNDERSTANDING – Ivy Tech**

Norman Voyles stated that one of the uses of the EDIT Funds is to provide \$20,000 to Ivy Tech for scholarships. The Memorandum of Understanding spells out how the funds would be used and that it would be paid to Ivy Tech by the 1<sup>st</sup> day of January each year. The potential students would have to meet certain qualifications in order to receive the scholarship. Pete Foley stated that the applicant must be a Morgan County resident or employed by a business located in Morgan County and must be a full or part time student. The other category of applicant would be someone sent by their employer for some type of technical training and are not a full time student. They would need to apply for FSSA and would need to maintain a 2.5 GPA. Mr. Foley stated that other cities and towns have implemented a similar type of program. Brian Goss made a motion to approve the Memorandum of Understanding. Motion seconded by Norman Voyles. Motion carried 2-0.

## **MINUTES**

Brian Goss made a motion to approve the minutes of the October 15, 2012 meeting. Motion seconded by Norman Voyles. Motion carried 2-0.

## **2013 MEETING SCHEDULE**

Brian Goss made a motion to approve the 2013 Meeting Schedule. Motion seconded by Norman Voyles. Motion carried 2-0.

## **CLAIMS**

Brian Goss made a motion to approve the claims totaling \$799,929.88 including the following holds pending Council additional or transfer: \$2,293.00 West Publishing Corp., \$20,196.82 Wright Express, \$2,192.00 Randy Rogers, \$200.90 Morgan County Tire, \$19,144.43 Advanced, and \$2,474.00 Haltom Equipment. Motion seconded by Norman Voyles. Motion carried 2-0.

## **HIGHWAY UPDATE**

Jimmy Waggoner, Acting Highway Superintendent, stated that he was predicting a very harsh winter this year. Crews are hauling sand, working on plows, greasing bearings on salt boxes, cold patching, cutting brush, cutting trees, and side mowing in preparation for winter.

## **SHERIFF / JAIL UPDATE**

Sheriff Robert Downey reported that there are 323 inmates at the jail, 79 of which are female. Nine inmates are on work release, 8 males and 1 female. There are 19 inmates on the jail corrections crew, 17 males, 2 females. There are 27 DOC inmates, 26 males and 1 female. There were 8,329 law enforcement calls for the year, and 13,842 CAD calls for the year. Sheriff Downey stated that maintenance has been working on the water and he will need to appear before the Council for an additional appropriation in the maintenance budget.

## **ENGINEER UPDATE**

Larry Smith, Morgan County Highway Engineer, stated that he received information through Bernardin Lochmueller regarding two different wetland mitigation sites for I-69; one is 80 acres in the Waverly area, and the other is between Guy Road and Payton Lane. They have 30 days to submit any comments.

Mr. Smith stated that the Board recently signed contracts regarding repairs made to roads after the 2008 flood. Mr. Smith received an email stating that 100% reimbursement was erroneously

entered in the project cost instead of 80%. The roads repaired were Robb Hill and Mahalasville. The revised contracts list \$1,112.80 as reimbursement for Robb Hill and \$47,952 for Mahalasville. Brian Goss made a motion to approve the contracts. Motion seconded by Norman Voyles. Motion carried 2-0.

Mr. Smith stated that he reviewed the construction engineering RFPs for two projects. For the first project, Landersdale Trail, three RFPs were submitted; DLZ, R. W. Armstrong, and Chicago Testing Lab. Mr. Smith recommended DLZ for the construction engineering. For the second project, HSIP Sign Project, four RFPs were submitted; R. W. Armstrong, Parsons Cunningham and Shartle Engineers, Inc., Janssen & Spaans Engineering, Inc., and DLZ. Mr. Smith recommended R. W. Armstrong. Brian Goss made a motion to accept the recommendation of R. W. Armstrong for the Sign Project. Motion seconded by Norman Voyles. Motion carried 2-0.

Brian Goss made a motion to accept the recommendation of DLZ for Landersdale Trail. Motion seconded by Norman Voyles. Motion carried 2-0.

Mr. Smith stated that he is looking into replacing Bridge #3 on Burnett Road. It is at an angle and he is considering a large culvert pipe instead. Mr. Voyles asked if Mr. Smith had looked into the drainage at Morgan Street and Hillside. Mr. Smith stated that the outlet is three to four feet deeper than the waterway that comes into it. It is possible to put a new pipe under the road, but it will be an expensive fix. They have extended the ditch along the west side of the road at a lower cost and it has opened it up.

#### **REQUEST TO USE ADMINISTRATION BUILDING**

Norman Voyles stated that the Friends of the Library have requested the use of the Lucille Sadler Room on Friday, December 7<sup>th</sup> for a meeting and dinner for library staff and volunteers. Brian Goss made a motion to approve the usage. Motion seconded by Norman Voyles. Motion carried 2-0.

#### **COMMENTS**

Gerry McGrath stated that since the last meeting, he has spoken to drivers of off-road vehicles and he is still concerned about their safety on the roads. Mr. McGrath asked if the drivers would be required to wear reflective vests and if the ordinance will address mufflers. Mr. McGrath stated that the Sheriff's Department could use five or six more deputies to help enforce the ordinance. Brian Goss stated that the vehicle would have to have tail lights and possible a slow moving vehicle sign. Norman Voyles stated that they would look into the noise ordinance to see if it would address the muffler issue.

Mr. McGrath stated that the brush was cut along his property and the highway crew did the best job they've ever done.

#### **ADJOURNMENT**

Brian Goss made a motion to adjourn the meeting. Seconded by Norman Voyles. Motion carried 2-0.

Morgan County Board of Commissioners

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Norman Voyles

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Brian Goss

Attest:

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Brenda Adams, Morgan Co. Auditor

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Don Adams